

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RICHARD RICHARDSON,

Plaintiff,

-against-

**RESPONSE TO
DOCUMENT REQUEST**

07-CIV-7198 (LAK) (MHD)

NEW YORK CITY; NEW YORK CITY
LIRR POLICE COMMAND DISTRICT #4;
ALL JOHN DOE OFFICERS; JOHN DOE
TOUR COMMAND; OFFICER FUENES,
TAXID 086729; AND OFFICER
SGT. SMITH;

Defendants.

-----X

Defendants, LIRR, MTA/LIRR POLICE DEPARTMENT, MTA POLICE
OFFICER FUENES AND MTA POLICE OFFICER SGT. SMITH, by their attorneys,
LEWIS JOHS AVALLONE AVILES, LLP., responds to plaintiff's request for documents
contained in a letter dated November 13, 2007 as follows:

1. The plaintiff requests copies of videotapes from various cameras located in Penn Station at 33rd Street and 7th Avenue. The plaintiff requests copies of videotapes from June 26, 2007 from 5:00 a.m. until 12 noon.
2. Please be advised that the videotapes from that day are only retained for 30 days and are erased.

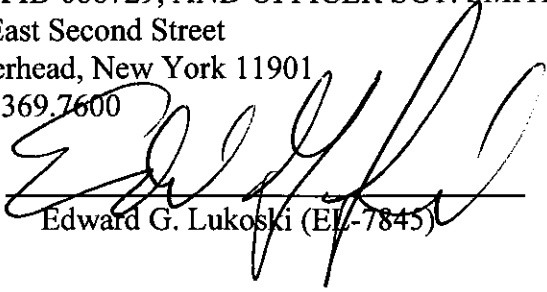
Therefore, there are no videotapes to be provided to the plaintiff at this time.

Dated: Riverhead, New York
January 4, 2008

Yours, etc.,

LEWIS JOHS AVALLONE AVILES, LLP
Attorneys for Defendants
NEW YORK CITY LIRR POLICE COMMAND
DISTRICT #4, ALL JOHN DOE OFFICERS, JOHN
DOE TOUR COMMAND, OFFICER FUENES,
TAX ID 086729, AND OFFICER SGT. SMITH
21 East Second Street
Riverhead, New York 11901
631.369.7600

By:


Edward G. Lukoski (EL-7845)

TO:

Richard Richardson
1416 Brooklyn Avenue
Apt. 1A
Brooklyn, New York 11210
718.282.3365

Sabrina Tann, Esq./Katherine Smith, Esq.
Assistant Corporation Counsel
Special Federal Litigation Division
100 Church Street
New York, New York 10007

STATE OF NEW YORK)
) ss.:
COUNTY OF SUFFOLK)

VERONICA C. McKENNA, being duly sworn, deposes and says:

That deponent is not a party to this action, is over 18 years of age and resides in Manorville, New York.

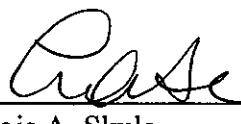
That on the 7th day of January, 2008, deponent served the within **RESPONSE TO DOCUMENT REQUEST** upon the attorneys below set forth representing the parties, as indicated, at the addresses shown, said addresses being designated by said attorneys for that purpose, by depositing a true copy of same, enclosed in a postpaid properly addressed wrapper in an official depository under the exclusive care and custody of the United States Post Office Department within the State of New York.

Richard Richardson
1416 Brooklyn Avenue
Apt. 1A
Brooklyn, New York 11210
718.282.3365

Sabrina Tann, Esq./Katherine Smith, Esq.
Assistant Corporation Counsel
Special Federal Litigation Division
100 Church Street
New York, New York 10007


VERONICA C. McKENNA

Sworn to before me this
7TH day of January, 2008.


Lois A. Skula
Notary Public, State of New York
Registration No.: 4966255
Qualified in Suffolk County
Commission Expires :May 1, 2010

LEWIS JOHS
Lewis Johs Avallone Aviles, LLP

07-CV-762(ARR)

Index No.
UNITED STATES DISTRICT COURT

Year 20

RICHARD RICHARDSON,

Petitioners,

- against -

**NEW YORK CITY; NEW YORK CITY LIRR POLICE COMMAND DISTRICT #4; ALL
JOHN DOE OFFICERS; JOHN DOE TOUR COMMAND; OFFICER FUENES, TAX ID
086729 AND OFFICE SGT. SMITH,**

Respondents.

Response to Document Request

LEWIS JOHS

Lewis Johs Avallone Aviles, LLP

Counsellors at Law

Attorneys for

Office and Post Office Address

21 East Second Street • Riverhead, NY 11901

631.369.7600 • Fax 631.369.7680

FILE #:

CERTIFICATION PURSUANT TO 22 N.Y.C.R.R. § 130-1.1a

The undersigned hereby certifies that, pursuant to 22 N.Y.C.R.R. § 130-1.1a, the contentions contained in the annexed document(s) is not frivolous nor frivolously presented

Service of a copy of the within

is hereby admitted.

Dated,

Attorney(s) for

Sir: Please take notice

☐ **NOTICE OF ENTRY**

that the within is a (*certified*) true copy of a

duly entered in the office of the clerk of the within named court on

20

☐ **NOTICE OF SETTLEMENT**

that an order

of which the within is a true copy will be presented for

settlement to the HON.

one of the judges

of the within named court, at

on

20

at

M.

Dated,

Yours, etc.

LEWIS JOHS